

March 25, 1975

SENATOR SCHMIT: Now, Senator Duis, I checked it again with our legal counsel and, of course, the problem that is inherent in the problem of the livestock are these. First of all, meat is a perishable product and there is a limited amount of time in which the product can be disposed of. Secondly,...or that can be held. Secondly, the problem that is existant and is very, very difficult to solve is one of identification because a bankruptcy that might occur would, of course, would be a surprise to most of us and, therefore, the...where do you cut off, you see, and where do you begin to require identification and we would obviously have to have identification of all the products from the time it was slaughtered until it was disposed of because the question, and I visited extensively with some of the persons that were involved in this recent situation and, of course, there was livestock and meat products that were in transit and there were products that were in retail establishments and, frankly, we have another bill that is going to be discussed here, hopefully before too long. The meat, in many cases, is being sold at retail prior to the time that it has been paid for by the retailer and in this instance, Senator Duis, actually the product was sold by the retailer and the feeder was not paid for it but where do you stop the chain and how do you identify. The problems, frankly, were a little too great for me and I just sort of chose to slide over it. I guess that is the only explanation and it is not a very good one but you sort of start and do what you think you can do, you know.

SENATOR DUIS: Well, I just wanted to ask the question to be sure that it was in your mind because this appeared to be a way of stopping the bankruptcy, that is the taking of the line creditor out of there so that the person providing the product would have a chance to reclaim it for a period of, what was it, five or ten days after the receiver, that is the Judge in the case, took the bankruptcy but if you feel as though it would not accomplish it, I don't wish to press it. I just merely wanted to be sure it had been thought of.

SENATOR SCHMIT: You can be sure, Senator Duis, that had your idea been into law at the time the last situation developed there would have been many feeders that would have benefited by it, I can assure you that. It could be done. I am not sure and that is why we chose not to go that route.

SPEAKER: No further discussion. The question is, shall 436 be advanced. Have you all voted? Have you all voted? The Clerk will record.

CLERK: 32 ayes, 0 nays, 17 not voting.

SPEAKER: The bill is advanced. LB 267.

CLERK: LB 267 introduced by the Administrative Rules and Regulations Committee and signed by Senator Duis, Chairman. Read title. There are Committee amendments by Senator Anderson's Miscellaneous Subjects Committee.

SENATOR ANDERSON: Mr. Chairman, members of the Legislature, this bill has to do with the distribution of copies of the